

Exhibit A

Atty. Dkt. No. 999999-0043

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David J. Bates
 Title: TIME RECORDING AND
 MANAGEMENT SYSTEM
 Appl. No.: 10/763,832
 Filing Date: 01/23/2004
 Examiner: Lewis, Cheryl Renee
 Art Unit: 2167

CERTIFICATE OF FACSIMILE TRANSMISSION	
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below	
Todd A. Rathke	
(Printed Name)	
_____ (Signature)	
_____ (Date of Deposit)	

AMENDMENT TRANSMITTAL

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment and declaration under 37 CFR 1.131 in the above-identified application.

☒ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	23	-	23	=	0	x	\$50.00	=	\$0.00
Independent Claims:	5	-	5	=	0	x	\$200.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$360.00	=	\$0.00
CLAIMS FEE TOTAL									= \$0.00

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- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$120.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$450.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,020.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$0.00
<input type="checkbox"/> Small Entity Fees Apply (subtract 1/2 of above):		\$0.00
TOTAL FEE:		\$0.00

- ☐ Please charge Deposit Account No. 06-1447 in the amount of \$. A duplicate copy of this transmittal is enclosed.
- ☐ A check in the amount of \$510.00 is enclosed.
- ☐ A Credit Card Payment Form authorizing a charge in the amount of \$0.00 to cover the total fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-3815. Should no proper payment be enclosed herewith, as by a credit card authorization being in the wrong amount, unsigned, post-dated, denied, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-3815. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-3815.

Exhibit A

Atty. Dkt. No. 999999-0043

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

OCT. 8, 2007

By

Todd A. Ruthe

RATHE PATENT & IP LAW
Customer No. 59555
Telephone: (262) 478-9353
Facsimile: (262) 238-1469

Todd A. Ruthe
Attorney for Applicant
Registration No. 38,276

Exhibit B

Document code: WFEE

United States Patent and Trademark Office
Sales Receipt for Accounting Date: 12/13/2007

MLEIGH SALE #00000001 Mailroom Dt: 10/08/2007 503818 10763832
01 FC: 1251 120.00 DA

Document code: WFEE

United States Patent and Trademark Office
Sales Receipt for Accounting Date: 12/13/2007

MLEIGH SALE #00000001 Mailroom Dt: 10/08/2007 503818 10763832
01 FC:1251 120.00 DA

Adjustment date: 10/30/2008 SDIRETA1
12/13/2007 MLEIGH 00000001 503818 10763832
01 FC:1251 120.00 CR

CHARLES W. PETERSON, JR.
VA, NY, MO, USPTO

The Law Office of Charles W. Peterson, Jr.

435B Carlisle Dr.
Herndon, VA 20170

PATENT, TRADEMARK AND COPYRIGHT LAW

TELEPHONE: (703) 481-0532
FAX: (703) 481-0585
CELL/PAGER: (703) 882-0186
E-MAIL: Bill@CWPeterson.com

October 24, 2008

Mail Stop 16
Director of the US Patent and Trademark Office
PO Box 1450
Alexandria, VA 22313-1450

Re: Re-submission of Request for Refund to Deposit Account No. 50-3818

Sir:

I, Charles W. Peterson, Jr., am the sole holder of Deposit Account No. 50-3818. Until August of 2007, my address was 11703 Bowman Green Dr., Reston, Va. 20190. I am the sole person authorized on Deposit Account No. 50-3818. The monthly statement for this account, dated 12/31/07, indicated that an unauthorized charge was made against the account on 12/13/07 for application serial no. 10/763,832, Atty Dckt No. 999999-0043. This request and all attachments were previously mailed February 5, 2008.

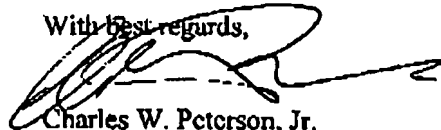
Attached hereto, marked Exhibit A, is a copy of the amendment transmittal for 10/763,832 filed 10/8/2007, by the attorney of record for that application, as downloaded from PAIR. The transmittal authorizes charges to Deposit Account No. 50-3815. Attached hereto, marked Exhibit B, is a copy of the charge sheet charging Deposit Account No. 50-3818 instead of account 50-3815. Thus, Deposit Account No. 50-3818, my account was charged in error.

Further, I use the account infrequently, paying primarily by credit card. I had no reason to check my account balance, as I filed nothing that required payment over the past couple of months and it would have shown up in my active applications, which I check daily. Since I was not contacted and notified that the unauthorized charge was made, I was not notified until I received the 12/31/07 monthly statement and therefore, I was not notified that my deposit account had erroneously fallen below \$1000. After several attempts to have the charge and penalty rescinded by phone, I was told on or about February 5, 2008, that I would have to file a request for a refund, which this is. At that time I attempted to add funds to my account to head off any additional service charges due to this PTO error. However, replenishment was no longer available by credit card and I could not get my bank account authorized for EFT in time to replenish it.

Therefore, I hereby request a refund of the \$120 charged erroneously against Deposit Account No. 50-3818; I further request refund of the two \$25 service charges (\$170 total) as the account should have and would have never fallen below \$1000, except for the PTO error.

Please change the mailing address for Deposit Account No. 50-3818 to: 453B Carlisle Dr., Herndon, VA 20170.

With best regards,



Charles W. Peterson, Jr.

Attachments (4 pages, Exhibit A and B)

FACSIMILE TRANSMISSION COVER SHEET

From:

Law Office of Charles W Peterson, Jr.
435B Carlisle Dr.
Herndon, VA. 20170
U.S.A.

Date Sent: October 24, 2008

Total number of pages 6 (Including this cover sheet)

To: Mail Stop 16

Fax No.

571-273-6500
~~(703) 308-6778~~

Re: Deposit Account # 50-3818

Message: Please change the mailing address for Deposit Account No. 50-3818 to:
453B Carlisle Dr.
Herndon, VA 20170.

Please refund \$170, erroneously charged to this account as set forth in the
attached.

Thank you,



Charles W. Peterson, Jr.
Reg. No. 34,406
Fax: (703) 481-0585
Tele: (703) 481-0532

NOTICE

This fax is for the sole use of the intended recipient(s) and may contain **privileged and confidential** information. Any unauthorized review, use, disclosure or distribution is **prohibited**. If you are not the intended recipient, please contact the sender at the above telephone number and destroy the original and all copies.